

THE DRIVEWAY CONTR.

S CORPORATION COUNSEL CLARK
THE AWARD WAS VALID.

He Holds That James B. Leary Is Entitled to the Work—The Park Board Has \$200,000 for the New Museum

On motion of President Tamm the Board passed yesterday the following resolution:

Resolved, That the bill making an appropriation of \$200,000 for the completion and equipment of the new museum of Astoria (Iowa) be submitted to the Board for examination and report. The board is of the opinion that the proposed bill is a wise and judicious one, and of great public importance for the recreation and instruction of our people, and one of which the city may justly be proud.

Commissioner Dana was not present at the meeting. He called at the office of the city manager in the morning and said that he would call for Koroiva in the afternoon.

The Board received a communication George Pentrick of 121 East Twelfth calling attention to an error in the inscription of the Hale statue. The inscription reads "Hale statue. The man who describes him as 'a Captain in the army of the United States.'" As has been shown already, Hale was a Captain in the Minnesota army. The letter was referred to President Frederick Samuel Talmadge, Secretary of the Sons of the Revolution, who erected the statue.

Late in the day Corporation Counsel sent to Comptroller Fitch an opinion holding that the contract awarded by the Park Board to James H. Leary for work on the first section of the River Drive way was valid.

Clark says:

On Jan. 25 the Board decided to award the contract for approval, to James H. Leary, whose bid was \$29,810-10-10.

On Jan. 27 we received a communication from the Park Board asking for approval.

The court held that the validity of this contract, affected by the delay in signing the bills, is governed by the law of the place where the contract was made. The law of Iowa is not such as to render invalid the contract, but that the work rendered hereafter is to be paid for on the basis of the contract, as the change in the number of sawmills does not constitute a material alteration of the original contract, which still includes and covers the new contract, which still includes and covers the new contract.

Mr. Leary, as the successful bidder has a remedy, the contract should be executed on the approval of the board of directors. It is not the duty of the board to determine whether the city would not be liable to the contractor for the non-execution of the contract.

I advise that you do approve the same on the position of James D. Leary, in case you are satisfied with the same. It is not the duty of the board to determine whether the city would not be liable to the contractor for the non-execution of the contract.

An examination of the bids in this matter shows the bid of Mr. Leary was \$62,000.00, while the lowest bid, that of J. C. Rodgers & Co., was \$51,000.00.

I regard this bid of Mr. Leary as a very advance one for the city, he being very much the least of thirteen well-known contractors, and in the absence of any grave legal objections that are here presented, I would strongly urge that action may be taken promptly as possible to satisfy a well-justified demand for the commencement of this important work.

Mr. Leary's sureties are John G. Moore and the firm of Moore & Seelye and John G. Moore.

DIVIDING THE MAYOR'S FUNDS
 An Important Project for the Relief of
 Four Branches Yesterday.

The Mayor's Relief Committee held a meeting yesterday to discuss the disposition of the fund. Henry R. Bookman, representing the South Law committee, was present. He announced that he had received an offer from the managers of all the theatres in the city to contribute a modest sum to the fund. The managers believe that if the members of the Police and Fire departments would donate the performance would net at least \$30,000. It was decided to discuss the question of having these departments under the sale of tickets at a meeting to be held

divide the balance of \$15,000 which the I. has on hand as follows:

Twenty-third and Twenty-fourth Ward Relief Association for Improving the Condition of the
Union Hebrew Warships
Twenty-third and Twenty-fourth Ward Relief Association for Improving the Condition of the
Lager Beer Brewers' Board of Trade for
Annexed District Relief Association
Twenty-third and Twenty-fourth Ward Relief Association for Improving the Condition of the
to the St. Vincent de Paul Society, and the
the Association for Improving the Condition of the
to be designated by Blooming
Brothers.

The additional subscriptions received from the public amounted to \$2,000. The Charity Organization Society has received early soliciting orders for the kindling which is cut in its yard at 510 West Van Buren street, and it is stated that there is a

ward empire had about 150 destitute children from his families dependent on him, and he said he would be refused some of them unless more would send.

The Jewellers' Relief Association, that manufacturers desiring workmen in at the headquarters of the relief fund, will have a list of names of persons who \$2,000 has so far been subscribed for the Tifanny & Co. heading the list with \$500.

The Legion of Justice will give a ball for the benefit of the relief fund at the Long Island City, at Arlington Hall, on Tuesday, Feb. 15.

The meeting of the Executive Committee of the Business Men's Relief Committee of the First Christian Alliance was held yesterday afternoon. Reports from various parts of

organizations for 5-cent meal tickets in titles for distribution have been received. A committee was appointed to make arrangements for the tickets, and the plan of giving away of free meal tickets will extend the new restaurant at 27 State street, which is to be opened in the fall for 1,500 meals a day. Arrangements are made to open another 5-cent restaurant at 111 North street, near Second avenue. The trustees of the fund, who met yesterday from Miss Mary B. Schieffelin, is now in Cannes, France. Of this 500 is to be paid to the trustees of the fund to be distributed to the general fund. It. Maitland Co. of the White Star Steamship Company sent \$500. to be expended in meal tickets.

The Eviction of the Railroad Tracks From Park Avenue to be Rescued.

Comptroller Fitch said yesterday that litigation which stopped work on the eviction of the New York Central Railroad tracks from Park avenue had been disposed of, and he expected to issue warrants for the recovery of the city's share of the cost of the improvement. Work was stopped several months ago by an injunction obtained by Felice J. restraining the city from paying its share of the cost on the ground that the improvement was not in the public interest of the New York Central Railroad.

When the railroad company undertook

The resumption of the work will give employment to many hundreds of men, and will begin the construction of new projects of West Twenty-third street and the lot at the corner of the city. It is estimated that nearly one hundred men will be employed on the new project. The city is now on the eighth floor of the project.

Perry now has 1,480 men and boys employed on the Capitol, and yet there are hundreds of applicants who cannot be accommodated. The limit of those whom it is possible to employ with profit having been reached.

never had to undergo as trying a period as last three weeks, when not alone men but hundreds of women have been serving in offices that work might be given husbands' relatives. The pressure among the line is strong.

1 glen. *Fomphobes* (ren.)